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HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.2962 of 2007

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Dated:01.03.2007

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Between:

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Jitender Kumar and others.

...Petitioners

and

The District Collector, and others.

...Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.2962 of 2007

ORDER:

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The first and second petitioners are statedly purchased land admeasuring Ac.1.00, each, in survey No.48/23 under two separate registered sale deeds, dated 08.03.1989. They further allege that they have also executed a General Power of Attorney in favour of the third respondent. They allege that in the 1st week of January, 2007, the respondents erected board to the effect that the land is Government land, that it is resumed under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'), and that the trespassers will be prosecuted. The petitioners assert that the land is private land, and therefore, there cannot be any interference by the respondents. They, therefore, seek a writ of *mandamus* declaring the action of the respondents in interfering with the possession of the land, as illegal and arbitrary.

After getting instructions, the learned Government Pleader for Revenue (General-T) submits that the Mandal Revenue Officer, the second respondent herein, initiated action under the Act and by proceedings, dated 27.11.2006, resumed the land to the Government. A copy thereof is also placed before this Court and also given to the Counsel for the petitioner. Therefore, this Court observes that now that the land has been resumed by the Government, it shall be open to the petitioner to prefer an appeal against the orders of the second respondent before the concerned Revenue Divisional Officer.

The Writ Petition, with the above observation, is accordingly

dismissed. No costs.

(V.V.S.RAO, J)

01.03.2007
GJ